

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
SAVINGS BANKS EMPLOYEES)	
RETIREMENT ASSOCIATION,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 04-11545-EFH
)	
EAST BOSTON SAVINGS BANK;)	
BERKSHIRE BANK; CAPE COD FIVE)	
CENTS SAVINGS BANK; SOUTH)	
SHORE SAVINGS BANK; and)	
WORONOCO SAVINGS BANK,)	
)	
Defendants.)	
_____)	

PARTIES' JOINT MOTION FOR AN EXPEDITED BENCH TRIAL

Plaintiff Savings Bank Employees Retirement Association ("SBERA") and Defendants East Boston Savings Bank, Belmont Savings Bank, Cape Cod Five Cents Savings Bank, Bridgewater Savings Bank, South Shore Savings Bank, and Woronoco Savings Bank (collectively "Defendant Banks") hereby move this Court to schedule a bench trial in this action at the Court's and the parties' earliest mutual convenience.

In support of its joint motion, the parties state that:

1. The issues presented in this case are primarily legal but the parties believe that forgoing filing extensive summary judgment motions will preserve judicial resources.
2. Discovery is complete and the parties will stipulate to as many facts as possible.
3. The parties do not anticipate requiring more than three one-half days or two full days of trial and have determined that they are available for trial the week of March 6, 2006.

WHEREFORE, the parties respectfully request that the Court grant their motion for an expedited bench trial.

Respectfully submitted,

SAVINGS BANKS EMPLOYEES
RETIREMENT ASSOCIATION,

EAST BOSTON SAVINGS BANK,
BERKSHIRE BANK, CAPE COD FIVE
CENTS SAVINGS BANK, SOUTH
SHORE SAVINGS BANK, and
WORONOCO SAVINGS BANK,

By its attorneys,

By their attorneys,

/s/ Alicia Alonso Matos

Arthur G. Telegen, BBO #494140
Alicia Alonso Matos, BBO #651154
FOLEY HOAG LLP
155 Seaport Boulevard
Boston, MA 02210
(617) 832-1000

/s/ Nicole Colby Longton (AAM)

James J. Marcellino, BBO #318840
Nicole Colby Longton, BBO #657478
McDermott Will Emery, LLP
28 State Street
Boston, MA 02109
(617) 535-4000

Dated: December 13, 2005